IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

WP(C).No. 32607 of 2006(F)

PETITIONER:

N.ANANDAN, S/O.NARAYANAN,
AGED 65 YEARS, RESIDING AT SHEEBALAYAM,
AMC NO.XXVI/149, VAZHAPPALLY LANE, T.B.JUNCTION,
ATTINGAL.

BY ADV. SRI.R.S.KALKURA
SRI.M.S.KALESH
SRI.M.R.SARIN
SRI.HARISH GOPINATH
SRI.V.VINAY MENON
SRI.KIRAN SANKAR

RESPONDENTS:

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1. THE KERALA STATE ELECTRICITY BOARD,
REP. BY ITS SECRETARY, VAIDHYUTHI BHAVAN,
PATTOM, THIRUVANANTHAPURAM.

2. ASST.ELECTRICAL ENGINEER,
ELECTRICAL SUB DIVISION, ATTINGAL.

3. THE ADDL. DISTRICT MAGISTRATE,
COLLECTORATE, THIRUVANANTHAPURAM.

4. VIMALA, VAZHAPALLY VILA VEEDU,
VAZHAPPALLY LANE, KOTHIYODU, ATTINGAL.

5. SUJA VILASAN, KAUSALYAGIRI,
VAZHAPPALLY LANE, T.B.JUNCTION, ATTINGAL.

BY ADV. SHRI.P.P.THAJUDEEN, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)No. 32607/2006

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE ORDER IN I.A.No 996/2004 IN O.S. NO. 160/2004 DATED 04/11/2004.

P2 : COPY OF THE JUDGMENT DATED 28/06/2006 IN CMA NO. 37/2004 ON THE FILE OF THE SUB COURT, ATTINGAL.

P3 : COPY OF THE NOTICE DATED 04/02/2006 ISSUED OT THE PETITIOENR BY DISTRICT MAGISTRATE.

P4 : COPY OF THE OBJECTION FILED by the PETITIONER BEFORE THE 3RD RESPONDENT.

P5 : COPY OF THE ORDER DATED 28/11/2006 ISSUED by the 3RD RESPONDENT.

P6 : COPY OF THE NOTICE DATED 13/09/2006.

P7 : COPY OF THE POSTAL COVER INDICATING THE DATE AND TIME OF RECEIPT OF THE NOTICE.

P8 : COPY OF THE BUILDING PLAN.

P9 : COPY OF THE LOCATION SKETCH.

P10 : COPY OF THE PETITION SUBMITTED by the PETITIONER BEFORE THE 3RD RESPONDENT.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 32607 of 2006

Dated, this the 19th day of June, 2007

J U D G M E N T

Heard learned counsel for the petitioner and the learned Standing Counsel for KSEB. Petitioner is aggrieved by drawl of electric line for giving connection to the 5th respondent . The line opposed by the petitioner is only 20 meter of weather proof line. Weather proof cable is a benign insulated cable and therefore petitioner cannot have any grievance. However, if petitioner wants, there will be direction to the 2nd respondent to give connection to the beneficiary through underground cable on petitioner meeting cost of cable. However connection should be given to the 5th respondent immediately, in any case within 10 days from the date of production of a copy of this judgment. If there is any delay in laying underground cable, connection can be given forthwith and later can be shifted through underground cable.

This WP(C) is disposed of as above.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg